

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
Charlotte Division
Case No. 3:05 CV 391-MU**

In re:

Joseph A. DiBruno, Sr.

Joseph A. DiBruno, Jr.

Nicholas DiBruno

Wendy DiBruno

Lela DiBruno

Debtors

Chapter 7

Bankruptcy Case Number 05-33007

Bankruptcy Case Number 05-33006

Bankruptcy Case Number 05-33005

Bankruptcy Case Number 05-33712

Jointly Administered

**ORDER RATIFYING CERTAIN ACTION OF THE
BANKRUPTCY COURT AND MAKING PARTIAL
REFERENCE IN LELA DIBRUNO CASE**

THIS MATTER comes before the Court on Motion of Langdon M. Cooper, Trustee in the above referenced four bankruptcy cases. After reviewing the record, the Court finds and concludes:

1. In Bankruptcy Case 05-33006 of Joseph A. DiBruno, Jr. the Bankruptcy Court on 17 October 2005 issued its Notice to Creditors of Possible Dividends and Setting Claims Bar Date (docket no. 18 in the Bankruptcy Court).

2. In Bankruptcy Case 05-33007 of Joseph A. DiBruno, Sr. the Bankruptcy Court on 17 October 2005 issued its Notice to Creditors of Possible Dividends and Setting Claims Bar Date (docket no. 21 in the Bankruptcy Court).

3. In Bankruptcy Case 05-33005 of Nicholas and Wendy DiBruno the Bankruptcy Court on 17 October 2005 issued its Notice to Creditors of Possible Dividends and Setting Claims Bar Date (docket no. 16 in the Bankruptcy Court).

4. At the time these Notices to Creditors of Possible Dividends and Claims Bar Dates were entered this Court had already withdrawn the reference of those base cases. It is the desire of this Court that the Notices to Creditors of Possible Dividends and Claims Bar Date as entered by the Bankruptcy Court be ratified and confirmed.

5. The Bankruptcy Court opened claims registers and received the filing of claims in these three cases referenced above in paragraphs 1, 2 and 3. It is the desire of this Court that that the opening of the claims registers and the receipt of claims by the Bankruptcy Court in those three cases be ratified and confirmed.

6. The involuntary case of Lela DiBruno, Case No. 05-33712 in the Bankruptcy Court has not yet been notified as an asset case. It is the desire of this Court to make a partial reference of the Lela DiBruno bankruptcy case to the Bankruptcy Court for the sole purpose of enabling the Bankruptcy Court to issue a Notice to Creditors of Possible Dividends and Claims Bar Date and to open a claims register and receive claims which might be filed in the Lela DiBruno case.

IT IS, THEREFORE ORDERED

1. The Notice to Creditors of Possible Dividends and Setting Claims Bar Date (docket no. 18 in the Bankruptcy Court) issued in Bankruptcy Case 05-33006 of Joseph A. DiBruno, Jr. on 17 October 2005 is hereby ratified and confirmed;

2. The Notice to Creditors of Possible Dividends and Setting Claims Bar Date (docket no. 21 in the Bankruptcy Court) issued in Bankruptcy Case 05-33007 of Joseph A. DiBruno, Sr. on 17 October 2005 is hereby ratified and confirmed;

3. The Notice to Creditors of Possible Dividends and Setting Claims Bar Date (docket no. 16 in the Bankruptcy Court) issued in Bankruptcy Case 05-33005 of Nicholas and Wendy DiBruno on 17 October 2005 is hereby ratified and confirmed;

4. A copy of this Order shall be filed by the Trustee in each of the bankruptcy case files of Joseph A. DiBruno, Sr., Joseph A. DiBruno, Jr., Nicholas and Wendy DiBruno, and Lela DiBruno;

5. The Bankruptcy Trustee shall file his usual electronic notice of asset case in the Lela DiBruno case and also a copy of this Order and in that regard this Court refers a portion of the Lela DiBruno case to the Bankruptcy Court for the sole purpose of issuing a Notice to Creditors of Possible Dividends and Setting Claims Bar Date and the opening of a claims register and the receipt of any claims which might be filed in the Lela DiBruno case.

Signed: May 24, 2006



Graham C. Mullen
United States District Judge

